

Paper No. 20

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte BRIAN DONOVAN

Appeal No. 2003-1186 Application No. 09/410,202

ation No. 09/410,202

ON BRIEF

WILLIAM F. SMITH, and NASE, Administrative Patent Judges.

Before HARKCOM, Acting Chief Administrative Patent Judge,

Per Curiam.

REMAND TO THE EXAMINER

The Office of the Group Director of Technology Center 2100 has requested that this application be remanded to the jurisdiction of the patent examiner so that the issues raised in this appeal can be reconsidered. Accordingly, we *remand*.

If reconsideration by the examiner does not promptly result in the withdrawal of all pending rejections, the examiner must return this application to the jurisdiction of the Board so that the appeal may be restored.

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This application, by virtue of its "special" status, requires *immediate* action by the examiner. **See** MPEP § 708.01(d). The Board of Patent Appeals and Interferences *must* be informed promptly of any action affecting the appeal in this case, including reopening of prosecution, allowance and/or abandonment of the application.

REMANDED

GARY V. HARKCOM, Acting Chief Administrative Patent Judge

^WIEZIAM ห⁄SMITH Administrative Patent Judge) BOARD OF PATENT) APPEALS AND) INTERFERENCES

JEFFREY V. NASE

Administrative Patent Judge

GVH/dpv

Application No. 09/410,202

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